
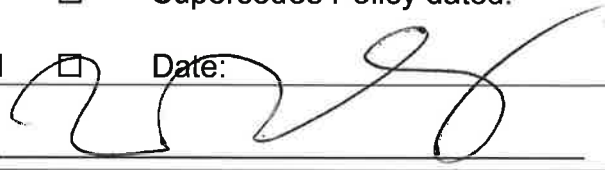


# Town of Marathon Policy

<b>Town of Marathon</b>  	<b>Policy: Customer Code of Conduct</b>	<b>Section: Administration</b>
	New <input checked="" type="checkbox"/> Effective: May 27, 2024 Revised <input type="checkbox"/> Supersedes Policy dated: Reviewed <input type="checkbox"/> Date: _____	
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**Purpose:**

To clearly communicate the expectations of the members of the public when engaging with Town of Marathon Staff and/or Representatives, The Town has established this Policy to ensure that the “Right Environment” is maintained and that it aligns with our strategic values.

**Scope:**

This Policy applies to unacceptable customer behaviour and unreasonably persistent customers.

This Policy is designed to identify behaviours that are unacceptable, which may result in the Town imposing limitations and restrictions on a customer’s interactions with Town Staff/Representatives and access to services.

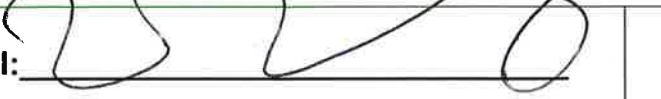
**Definitions**

“Staff/Representative” means all the employees, either on contract, part time, full time, volunteer, or student capacity, committee members, and members of Council.

“Customer” includes residents, visitors, participants, coaches, officials, spectators, businesses, not-for profit organizations, stakeholders, community, and corporate organizations that interact with employees/representatives of the Town of Marathon, and/or service provides for the Town of Marathon.

“Unreasonable Behaviour” means non-tolerated behaviour as outlined in this Policy, or as determined by Town Staff/Representatives in consultation with the Chief Administrative Officer (CAO).

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## Guidelines

### **Expectations of our Customers**

All customers of the Town of Marathon are entitled to be treated in a fair and respectful manner. In turn, customers are required to treat Staff/Representatives and other customers of the Town of Marathon in a courteous, respectful and civil manner. This Policy is consistent with, and complements legislation, regulations, standards and Town established policies.

### **Behaviour Expectations of Customers**

Customers are expected to interact with Town staff/representatives as follows:

- Posing questions/concerns to staff in a calm and respectful manner;
- Using courteous language in each interaction with staff;
- Clearly explaining the nature of a concern or inquiry; and
- Accepting the Town's response and/or resolution of the manner if new materials/information is not provided to alter the Town's response.

The list of examples set out above is not exhaustive. It is meant to be instructive and should serve as a reference to types of behaviour which foster civil and mutually respectful interactions amongst others.

### **Examples of Unreasonable Behaviour**

Consistent with the Ontario Human Rights Code, discrimination or harassment of any kind is strictly forbidden whether based on race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Harassment may include but is not limited to, unsolicited or unwelcome remarks, gestures or physical contact, as well as the display or circulation of inappropriate or derogatory written materials or pictures.



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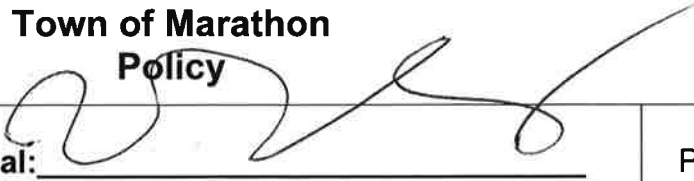
Unreasonable Behaviours that **will not be tolerated** include, but are not limited to:

- Verbally or physically intimidating, harassing, or threatening others.
- Utilizing hostile, loud, abusive, obscene, offensive, rude, explicit, or vulgar language.
- Repeatedly challenging or confronting Staff.
- Touching or inflicting unwanted physical contact upon another person.
- Throwing articles in an aggressive manner.
- Making malicious or harmful statements about others.
- Publicly disclosing of another's private information.
- Being in possession of dangerous or unauthorized material.
- Interacting with Town Staff/Representatives while intoxicated or while in possession of drugs or alcohol.
- Soliciting, purchase, or selling of illegal substances.
- Engaging in any behaviour that is designed to intimidate Town Staff/Representatives.
- Damaging any Town property or assets.
- Harassing the Corporation. This could include a high volume/frequency of correspondence or constant accusations accompanying frequent complaints that have already been dealt with.
- Disobeying or disregarding lawful instructions from Town Staff/Representatives (Refusing to follow established rules)
- Making derogatory or insulting statements regarding staff.
- Frequently or repeatedly questioning the morality, decency, or ethics of Town Staff/Representatives.
- Sharing with others or circulating derogatory or insulting statements regarding Town Staff/Representatives.
- Demanding services that are of a nature or scale that cannot be provided by the Town.
- Persistently contacting the Town about the same matter when it has been considered and dealt with.
- Repeatedly sending phone calls, voicemail messages, visits, letters, emails after being asked not to do so.
- Repeatedly contacting different staff seeking a different outcome or response.
- Any behaviour that poses a health or safety risk to staff, spectators, participants or officials.



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**Immediate Consequences of Violation**

The decision to classify someone's behaviour as unreasonable could have serious consequences for the offending customer, including restricting their access to municipal services.

The decision to classify a customer's behaviour as unreasonable may be made by any Town Staff/Representative that is engaged with a customer or by the Staff/Representatives' immediate Supervisor.

If such a determination is made, Town Staff/Representatives will be permitted to immediately end communication/terminate any interaction with a customer and the customer may be temporarily removed from Town facilities.

Where any Town Staff/Representatives determine that a customer has engaged in unreasonable behaviour they will be required to inform their direct manager/supervisor, or designate, who in turn will be required to advise the CAO or Manager responsible for the Town Staff/Representative that was subjected to the Unreasonable Behaviour.

Depending on the severity of the Unreasonable Behaviour, Town Managers /Supervisors should immediately consult and notify the CAO.

For immediate threats to persons or property, call 911 and/or follow the Harassment and Violence in the Workplace policy (TMS0006). All threats should be documented online in our Ebase database.

Of paramount importance to the Town is the health, safety and security of its Staff/Representatives and Customers.

**This policy will be strictly enforced**, and non-compliance will result in corrective measures being taken.



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### Additional Consequences of Violation

In addition to the immediate consequences identified above, Customers may be subject to additional restrictions which are designed to correct Customer's Unreasonable Behaviour, protect Town Staff/Representatives and foster an environment of civility and mutual respect.

Restrictions will be adapted to manage individual circumstances and may include one or more of the following:

- Placing limits on the number and duration of contacts with staff per week or month.
- Offering a restricted time slot for necessary calls.
- Limiting the Customer to one method of contact (telephone, letter, email, etc.)
- Requiring the Customer to communicate only with one named member of Staff/Representative.
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- Requiring the Customer to make contact by telephone only through a third party e.g. solicitor/counsellor/friend acting on their behalf.
- Limiting or regulating the Customer's use of municipal services i.e. Access to programming and/or technology systems.
- Cancelling a Customer's membership or temporarily suspending membership.
- Refusing the Customer access to any Town building except by appointment.
- Informing the Customer that further contact on the matter of the complaint/request will not be acknowledged or replied to.
- Pursuing legal action, for example the issuance of a "Notice of Trespass".
- Other actions as deemed appropriate.

Where efforts to resolve matters with the Customer have not been successful, the case or request may be closed without further action.

### Suspension

In the event a Customer contravenes this Policy and engages in Unreasonable Behaviour, the Customer may be suspended from a Town facility or program for a defined period of time.

### Termination

An offending Customer may be removed from a Town facility or program if their Unreasonable Behaviour results in extreme disruption, or harm to self, others, or property. Each case will be considered on an individual basis.



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### Remediation Procedures

Prior to imposing any of the consequences outlined in this Policy, there must be a determination by the applicable Manager/Supervisor or the Town's CAO that a customer did in fact engage in Unreasonable Behaviour.

In cases where the Unreasonable Behaviour is directed at a member of Town Council or, a member of a Town Committee, Volunteer, that said determination will be made by the Town's CAO.

Before deciding to apply any restrictions, the Manager/Supervisor or CAO that is responsible for determining if a customer has engaged in Unreasonable Behaviour should consider whether:

- The Customer's concerns and/or requests have been dealt with properly and in-line with any relevant law, regulation, procedures or statutory policys.
- Town Staff/Representatives have made reasonable efforts to satisfy or resolve the request or respond to the inquiry.
- The Customer is not presenting new and relevant material or information about the situation, or, that the Customer is advancing a new and good faith request in compliance with the Town's standards of behaviour.

### Notification Process Roles and Responsibilities

If a Staff/Representative is directly involved in an inappropriate behaviour incident, they must:

- 1) identify to the customer that the behaviour is inappropriate and ask them to stop immediately.
- 2) if they do not stop, inform them that they must leave the premises.
- 3) If they do not immediately leave the premises, inform the customer that they are trespassing, and that the O.P.P. will be dispatched if they do not leave the premises immediately.
- 4) If they refuse to leave the premises, stop engaging and call the O.P.P.
- 5) Complete an Incident Report on Ebase.





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If the Customer initiates an immediate threat to Staff/Representative's person or Town property, **call 9-1-1 immediately.**

If any Town Staff/Representative believes that a request/complaint or Customer interaction is unreasonable, the employee should consult with their immediate Manager/Supervisor to provide any supporting materials (documentation) and explain steps that have been taken to resolve the matter, including as appropriate:

- The length of time that Town Staff/Representative have been in contact with the Customer, history of the interactions and the amount of correspondence that has been exchanged with the Customer.
- The number of requests/complaints that the Customer has brought forward and the status of each open case (if applicable).
- The nature of the Customer's behaviour.
- Impact on the Town Staff/Representative(s).

### **Roles & Responsibilities**

All of Town Management are responsible for ensuring that relevant Staff/Representatives are aware of this Policy and any accompanying policies and protocols.

#### Supervisors

Supervisors who have been notified by Town Staff/Representatives are responsible for briefing the appropriate Manager or CAO regarding details of the situation.

#### Manager/CAO

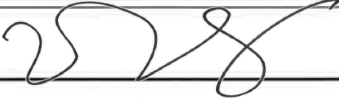
The relevant Manager or the CAO in the case of departments that report directly to the CAO, is responsible for reviewing the information provided by Town staff/representatives in a timely manner and confirming whether or not this Policy should be applied. Specifically, the CAO will:

- Review the information provided by the Staff/Representative and determine if the Customer's behaviour warrants the application of restrictions/consequences of violating this policy.
- Work with the Staff/Representative to determine appropriate restrictions, how to inform the Customer of the restrictions and determine a review date for removing, modifying, or continuing restrictions.
- Consult with the Corporate Services Manager prior to making a decision.
- A Manager is to provide a recommendation to the CAO, where appropriate, including proposed restrictions, how to inform the Customer of the restrictions and determine a



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review date for removing, modifying or continuing restrictions.

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If the CAO's input is required to determine that a Customer's behaviour is unreasonable, the CAO should be satisfied that:

- The request has been properly investigated;
- Communication with the Customer has been adequate; and
- The Customer is not attempting to make a new and good faith request in compliance with the Town's standards of behaviour.

### Conclusion/Decision and Formal Notice

If a Manager/Supervisor or the CAO determines that a Customer has engaged in Unacceptable Behaviour, and any of the consequences identified have been imposed, the Customer will receive written notification that:

- Details what decision/action has been taken and why.
- Explain what it means for the Customer's contacts with the Town.
- Advise how long the restrictions will last and when the decision will be reviewed.
- Written notifications are hand delivered by the By-Law Enforcement Officer or sent via Registered Mail.

Upon determination of an unreasonable interaction with Town Staff /Representative, the offending Customer will be provided with a copy of this Customer Code of Conduct Policy and a verbal warning of the consequences of violating this Policy, in addition to any other consequences that may be imposed.

### Dispute

All customers shall have the ability to appeal directly to the Corporation, regarding the decision impose restrictions, by addressing their concerns in writing to the Clerk. The Clerk will forward information to Council who shall act as an appeal body in a closed session and shall review the appeal and may confirm, rescind or amend the restrictions.

In the event complaints cannot be resolved through this Policy, they may be submitted to the Municipal Integrity Commissioner in accordance with the provisions of Bill 8.

### Policy Communications

Upon approval of this Policy, an education and awareness campaign will be implemented so the community is well aware of expectations and violation consequences.





# Don't take it out on our staff.

We DO NOT tolerate  
Unreasonable Behaviour.

Read the [Town's Customer Code of Conduct Policy](#) for more info.

